

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

DAVID SEAMAN.

Plaintiff,

VS.

YOUTUBE, LLC, et al.,

## Defendants.

Case No: C 19-01903 SBA

**ORDER DIRECTING PLAINTIFF'S  
COUNSEL TO FILE A MOTION TO  
WITHDRAW AS COUNSEL**

Through counsel, Plaintiff David Seaman (“Plaintiff”) filed the instant action against Defendants YouTube, LLC and Google, LLC (“Defendants”) in the United States District Court for the Eastern District of Virginia. Dkt. 1. The action was transferred to this Court in April 2019. Dkt. 21.

16 On June 17, 2019, the parties filed a Stipulation of Voluntary Dismissal. Dkt. 30.  
17 The stipulation is signed by Plaintiff, who now purports to be acting pro se. Id. at 1. In a  
18 footnote, the stipulation states that Plaintiff's former counsel, Steven Biss, no longer  
19 represents him in this matter. Id. at n.1. Mr. Biss has not withdrawn as counsel, however,  
20 as required by Civil Local Rule 11-5(a). Mr. Biss remains counsel of record, and as such,  
21 continues to receive service on behalf of Plaintiff.<sup>1</sup>

22 Accordingly, by no later than June 21, 2019, attorney Steven Biss shall file a motion  
23 to withdraw as counsel in accordance with Civil Local Rule 11-5, indicating that Plaintiff  
24 agrees to appear pro se in this matter. Mr. Biss's failure to timely file a motion to withdraw  
25 will result in the imposition of sanctions against him.

<sup>1</sup> The Court notes that Mr. Biss is not a member of the bar of this Court and has not applied to appear *pro hac vice* in this action, as required by Civil Local Rule 11-3. The fact that Mr. Biss is not authorized to practice in this Court does not relieve him of his obligation to withdraw as counsel, however.

1 Defendants' counsel shall serve a copy of this Order on Plaintiff personally and shall  
2 file a proof of service.

3 IT IS SO ORDERED.

4 Dated: 6/18/19

  
5 SAUNDRA BROWN ARMSTRONG  
Senior United States District Judge

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